

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

Case No.: 3:15-cv-02159-VC

RE: **Jabbari, et al**

v.

Wells Fargo & Company &
Wells Fargo Bank, N.A.

FILED
JUN 22 2021
SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

Petition for Writ of Mandamus

COMES NOW, ANDREW HOLLIS, Pro se, moves and requesting this honorable court pursuant to the "interest of justice" and the Federal Rules of Civil Procedure for the Northern District of California to order *sua sponte* the Special Administrator for the *Jabbari Settlement* to comply with this Court's Order in "*distributing settlement checks*" to *all* class members as ordered by the Court on June 14, 2018.

A. Petitioner Is A Member Of The Jabbari Class Action Suit

Petitioner submitted his claim to join the class action suit against Wells Fargo for victimizing its customers by "using illegal, fraudulent, and deceptive tactics to boost sales of its banking and financial products nationwide." Petitioner claim was presented in a timely manner. Petitioner presented his claim on November or December of 2017, no later than February of 2018.

Petitioner banked with Wells Fargo from 2013 – 2020 of February. After hearing and confirming that a \$142 million dollar settlement had been agreed upon in the case, and settlement checks were being distributed throughout December 2020. Petitioner contacted the Special Administrator Office for the *Jabbari Case* concerning his settlement check. Someone in the Special Administrator office said, 'we don't have a claim on file for you as a class member.' I said, 'how not so, and you have everyone else file!' He asked, 'when did you submit your claim?' Petitioner responded, 'November or December of 2017, no later than February of 2018.' He said, 'sir, we do not have it. So there's nothing we can do!' I said, 'it must have been lost or misplaced!' 'I submitted it! Let's verify via Wells Fargo that I had accounts with them during the time period in question.'

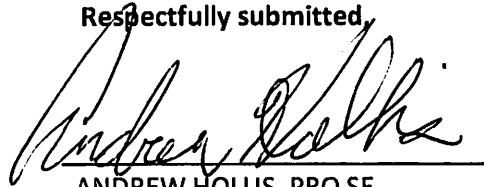
This type of dialogue went on between me and the Special Administrator and his staff for the next five or six months to no avail! So I contacted Wells Fargo concerning the matter. Wells Fargo connected me to their Jabbari Claim Management Department. I asked, the manager, 'would he accept a call from the Special Administrator Office and share or divulge my accounts history at Wells Fargo?' She agreed to do so. However, after contacting Wells Fargo with a follow up call. Petitioner was told that the Special Administrator never contacted them!

A month ago from the date of this ***Mandamus***. Petitioner contacted the Special Administrator Office again. I spoke with a representative and ask to speak with the Special Administrator. The representative said, 'he wasn't available. Would you like to leave a good for him to contact you?' Petitioner gave the representative his number. However, I haven't received a call from the Special Administrator, or anyone from his office. Several days later, Petitioner contacted Wells Fargo via phone line and asked for his accounts history with them from: 2013 – 2020 of February. I was told that I had nine (9) accounts and four (4) was subject to "improper retail sales practices!" Which means----the accounts had "***Jabbari residue***" written all over them!

In addition, Petitioner don't understand why? The Special Administrator refused to confirm with Wells Fargo that Petitioner's accounts were subject to fraudulent, retails sales practices; and he has declared that he submitted his class action claim timely. Whether the Special Administrator staff received it, lost it, or cannot find it! Further, the intent of CEO, Tom Sloan, was clear in his interview with the Wall Street Journal (WSJ): "We are pleased with the decision as it supports our efforts to help customers impacted by improper retail sales practices and ensures they have ***every*** opportunity for remediation." Moreover, this honorable court assigned the Special Administrator to the ***Jabbari*** settlement claim. In my judgment, the Special Administrator actions are reprehensive and a disregard of the loss and victimization of the class members. Whether it is one, or a thousand!

WHEREFORE, Petitioner is requesting that this honorable court grant this ***Writ of Mandamus*** and ***order*** the Special Administrator to issue Petitioner's settlement check immediately; and that the Special Administrator be held liable for punitive damages due unto Petitioner as a result of him and his office "intentional delay" and disregard of the Court's ***Order*** as it relates to Petitioner and any other member of the ***Jabbari*** settlement.

Respectfully submitted,

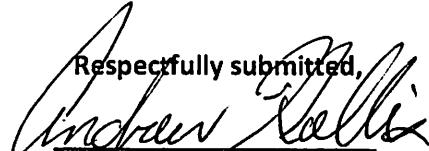


ANDREW HOLLIS, PRO SE
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CERTIFICATE OF SERVICE

I, Andrew Hollis, certify under the penalty of perjury that to the best of my knowledge the aforementioned is true and correct and that a copy has been sent via U.S. Postal Service to the below parties on this 17th day of June 2020.

1. Judge V. Chhabria
United States District Court
Northern District Of California
450 Golden Gate Avenue, Box 36060
San Francisco, CA. 94102-3489
2. Keller Rohrback
Complex Litigation, L.L.P.
801 Garden Street, Suite 301
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Respectfully submitted,
ANDREW HOLLIS, PRO SE